

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION**

IN RE:

**LAMHOT PARAPAT
ELANURLAELA PARAPAT**

DEBTORS

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CASE NO. 24-80074

CHAPTER 7

**DEBTORS' EMERGENCY MOTION TO DELAY ENTRY OF DISCHARGE ORDER
FOR PURPOSE OF FILING A REAFFIRMATION AGREEMENT**

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

Lamhot Parapat and Elanurlaela Parapat, Debtors in the above-referenced case, and Debtors' Counsel respectfully request emergency consideration to delay entry of a discharge order in their case for the purpose of filing a reaffirmation agreement (the "Motion"), and respectfully state as follows:

1. On March 23, 2024, the Debtors filed a voluntary petition under chapter 7 of title 11 of the U.S. Bankruptcy Code. Dkt. 1.

2. The Section 341(a) Meeting of Creditors was held and concluded on May 1, 2024. Dkt. 6. Janet S. Casciato-Northrup was appointed as the Chapter 7 Trustee and filed a Report of No Distribution. Dkt. 18.

3. Debtors own a 2013 Toyota Tacoma (the "Vehicle"). Toyota Motor Credit Corporation (the "Creditor") holds a purchase money security interest in the Vehicle.

4. On April 30, 2024, Debtors filed a Statement of Intention indicating an intention to enter into a reaffirmation agreement with Creditor. See Stmt. of Intention for Individuals Filing under Chapter 7 filed as part of Dkt. 16.

4. On June 29, 2023, Debtors executed the reaffirmation agreement with Toyota Motor Credit Corporation. Debtors' counsel had been trying to reach the Debtors about executing

this reaffirmation agreement for the past few weeks, but the Debtors were unable to sign the reaffirmation agreement until Saturday, June 29, 2024.

5. On Sunday, June 30, 2024, Debtors' counsel emailed the reaffirmation agreement to National Bankruptcy Services, LLC on behalf of Toyota Motor Credit Corporation and requested that the reaffirmation agreement be filed in the above-referenced case.

6. However, the deadline to oppose the discharge in Debtors' case and the corresponding deadline to file a reaffirmation agreement is on July 1, 2024. Dkt. 6.

7. Debtors request that the Court delay entry of the discharge order until July 15, 2024, to provide an extension of the deadline to file a reaffirmation agreement with the Court.

8. Pursuant to FED. R. BANKR. P. 4008, a reaffirmation agreement shall be filed no later than sixty (60) days after the first date set for the meeting of creditors under 11 U.S.C. § 341(a), and per the Committee Notes on the 2008 Amendment of Rule 4008, the reaffirmation agreement must be filed prior to entry of discharge.

9. Likewise, under Fed. R. Bankr. P. 4004, a discharge order is to be entered promptly after the expiration of the time to filing a complaint pursuant to 11 U.S.C. § 521 or §727, being no later than sixty (60) days after the first date set for the meeting of creditors under 11 U.S.C. § 341(a). Rule 4004 provides the court discretion defer the entry of an order granting discharge for thirty (30) days or to a date certain in accordance with Fed. R. Bankr. P. 4004(c)(2). Further, per the 2008 Amendment, Rule 4004(c)(1)(J) authorizes an extension by providing for a delay in the entry of discharge during the pendency of a motion to extend the time for filing a reaffirmation agreement.

10. This request for an extension of time is neither an attempt to hinder or delay this case but to ensure that the Debtors are able to reaffirm this debt and avoid loss of property

necessary for the Debtors. Also, in the interest of fairness and justice, this Motion requests to extend the deadline for a party in interest to oppose the discharge in the above-referenced case to the same extended deadline as the date for filing a reaffirmation agreement.

WHEREFORE, the Debtors and Debtors' Counsel request this Court grant the relief requested herein and any other and further relief as is justified.

Respectfully submitted,
THE PRICE LAW GROUP, A.P.C.
dba RESOLVE LAW GROUP

/s/ Amy Bates Ames

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ATTORNEY FOR DEBTORS

CERTIFICATE OF SERVICE

I hereby certify that this Motion was filed on June 24, 2024 and that a true and correct copy of the above-referenced Motion was electronically noticed and/or mailed via first class, U.S. mail, postage prepaid, to the Debtors, the Chapter 7 Trustee, the U.S. Trustee, all attorneys and parties-in-interest who have requested notices, to each party on the attached mailing matrix, and to the counsel or representative for the Creditor as follows.

Bankruptcy Specialist
National Bankruptcy Services, LLC
14841 Dallas Parkway, Suite 300
Dallas, TX 75254
F: 214-550-4033
Consumer7@NationalBankruptcy.com
Reaffirmations@NationalBankruptcy.com

/s/ Amy Bates Ames

Amy Bates Ames

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CASE NO. 24-80074

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**ORDER GRANTING DEBTORS' EMERGENCY MOTION TO DELAY ENTRY OF A
DISCHARGE ORDER FOR PURPOSE OF FILING A REAFFIRMATION AGREEMENT**

On this Date, the Court considered the Debtors' Emergency Motion to Delay Entry of a Discharge Order for Purpose of Filing a Reaffirmation Agreement (the "Motion"). The Court finds that proper notice has been given to all parties in interest and good cause exists to grant the Motion for the purpose of filing a reaffirmation agreement.

IT IS THEREFORE ORDERED that the Motion hereby is granted, and the Court shall delay entry of a discharge order until on or before July 15, 2024, unless a subsequent extension is granted of such date for just cause.